

Baltimore, Md., Oct. 17, 1907.

The Board of Public Works of Maryland met this day in room 703 Fidelity Building, Baltimore at 10 a. m. Present,- Governor Warfield, Comptroller Atkinson and Treasurer Vandiver,-in order to consider the request of the B. & O. Railroad for permission to renew the present single track bridge over the Susquehanna River at Havre de Grace with a double track structure, sufficient to carry the heaviest modern equipment.

The request is as follows:-

To the Honorable, the Board of Public Works of Maryland,

Gentlemen:-

The Baltimore and Ohio Railroad Company, in the construction of its Philadelphia Branch under the provisions of its charter, has built a bridge over the Susquehanna River at Havre de Grace, Md., the plan and character of the bridge having received the approval of the Board of Public Works as provided by Chapter 223 of the Laws of Maryland of 1882.

The Baltimore and Ohio Railroad Company proposes to renew the present single track bridge with a double track bridge, thus securing increased safety in operation and an improved structure which will be sufficient to carry the heaviest modern equipment.

The bridge as reconstructed will be on precisely the same location as the present bridge, the channel spans will have the same clear width of span, and the present piers will be used and additional piers will be placed under the deck spans. A plan of the reconstructed bridge is enclosed herewith marked "Drawing 14102," and is respectfully submitted for your approval.

THE BALTIMORE AND OHIO RAILROAD COMPANY

By Hugh L. Bond, Jr.

2nd Vice President and General Counsel.

Baltimore, Md., October 7th, 1907.

Mr. Hugh L. Bond, Jr., Second Vice President and Gen. Counsel of the B. & O. R. R. and the following other persons appeared to favor and explain the application of that Company:

D. D. Carothers, Chief Engineer, B. & O. R. R.
J. E. Greiner, Asst. Chief Engineer in Charge of Bridges
Mr. Barnes, Inspector in Charge of the Bridge
Walter Ancker, Supt., Floating Equipment
Edward Thomas, Master Carpenter Phila. Div., B. & O. R. R.
E. B. Graham, Resident Engineer on Bridge
M. F. Tydings, Resident Engineer, Penna. R. R.
Wm. G. Whitney, and Ice dealer of Havre de Grace
Jesse Price, Fisherman, Havre de Grace, and others.

And the following persons appeared to protest against the granting of the privileges requested by the Railroad on the ground mainly that the additional piers needed to strengthen and support the new structure according to the present plans of the B. & O. R. R. as submitted to the Board of Public Works, will be an additional menace to life and property at Port Deposit, in that they will be additional obstructions to the free passage of the ice during the winter season, will aid in causing jams, and will therefore increase the backing up of the water which causes the floods there so frequently. Following is a list of the people who appeared against the R. R. Company:

Peter Tome,
 Saml. C. Rowland,
 D. R. Armstrong, President of the Commissioners of Port
 Deposit
 Senator Joseph C. France of Cecil County
 Mr. Spencer
 Messrs. Silver & Spence, of Messrs. Silver, Spence & Co.,
 Fish packers.
 Mr. Donahue,
 Dr. A. C. Crothers,
 A. P. McCombs,

Mr. D. R. Armstrong, President of the Commissioners of Port Deposit, made the leading argument against the granting of the privileges desired by the B. & O. R. R. He and Senator Joseph C. France of Cecil County, both claimed that the additional piers are not necessary to support the proposed structure but that the reason the B. & O. R. R. wished to build additional piers was because they could build a bridge on these additional supports much more cheaply than they can properly strengthen the present piers and build the new bridge thereon, in that the increased weight of the span between the present piers would add from \$500,000 to \$1,000,000. to the cost of the bridge. The subject was very thoroughly discussed, and Mr. Hugh L. Bond, Jr., 2nd, Vice Pres. & Gen. Counsel of the B. & O. R. R. gave a full explanation of the ideas and views of the B. & O. R. R. Officials as did Mr. Greiner, Mr. Crothers, Mr. Barnes and others.

Those who spoke against the granting of the application in its present shape were Messrs. Peter Tome, Saml. C. Rowland, Senator France, Mr. Spence of Silver Spence A Co. and Mr. Donchue and others.

A large number of documents and letters favoring and opposing the plans of the B. & O. R. R. were submitted all of which are filed herewith. Mr. Armstrong presented the following papers:

Office of
PRESIDENT and COMMISSIONERS
Port Deposit, Md.

October 14, 1907.

To his Excellency,
Gov. Edwin Warfield,
Baltimore, Md.

My Dear Sir:

The published notice in papers of Oct. 10th, of the meeting of the Board of Public Works of the State, to pass upon the proposed plans of the B. & O. R. R. Co. for the reconstruction of their Bridge over the Susquehanna River above Havre-de-Grace, has been of a very great surprise to the people of Port Deposit and its vicinity. In view of the fact, that the plans of the B. & O. had been rejected, of the interference there would be to navigation, and the menacing barrier to the free passage of ice, and the consequent destruction of property along the shores of the River and especially to the town of Port Deposit, the citizens of which intend to make the same strenuous protest to the Board of Public Works, as they did to the National Government. I will thank you very much to furnish me a copy of the application and state the hour and place of meeting.

Yours very respectfully,

PRESIDENT AND COMMISSIONERS OF
PORT DEPOSIT.

By D. R. Armstrong, President.

Fidelity Building,
Baltimore, Maryland,
October 15th, 1907.

To the President and Commissioners of Port Deposit,

By: D. R. Armstrong, President,
Port Deposit, Maryland.

Gentlemen:

In reply to your letter of October 14th, just received by Governor Warfield, I am directed to say that his Excellency called the meeting of the Board of Public Works for Thursday, October 17th, at 10 a. m., in his office at the Fidelity Building at the request of Mr. Hugh L. Bond, Jr., Second Vice President of the B. & O. Railroad Company, to consider the Company's application for permission to renew the present bridge with a new and improved structure. The Governor was not aware that there would be any objection made to the proposed bridge, but he wishes me to say that you will have every opportunity to make your protest and have it fully considered by the Board of Public Works before any action is taken on the application of the Railroad Company.

The Governor wishes me to say that, if the President and Commissioners of Port Deposit desire a hearing and wish action on the application deferred until a later date from Thursday next, he is quite sure the Board of Public Works will favorably consider your request. The matter is entirely in the hands of the Board and your letter will be submitted to that body at its meeting on Thursday when, if you so desire, the Governor would be pleased to have you present to state your objections.

In the meantime, I enclose herewith a copy of the application of the Baltimore and Ohio Railroad Company for the privilege desired.

Very truly, yours,

R. S. Hart,

Secretary to the Governor.

October 21, 1907.

To the Honorable Board of Public Works,
Baltimore, Maryland.

Gentlemen:-

Complying with your request made to me at a meeting of the Board of Public Works, held on the 17th, inst., I herewith enclose you a copy of my letter, dated July 16th, 1907 to Hon. Wm. H. Taft, Secretary of War; also a copy of the reply thereto, by A. Mackenzie, Brig. Gen. Chief of Engineers U. S. Army under date of August 6th, 1907. I also enclose a copy of R. L. Hoxie, Lieut. Col. Corps of Engineers report under date of June 8th, 1907 to Gen. Mackenzie, Chief of Engineers U. S. Army.

In addition to the above, I beg to call your attention to the Annual Report upon the Rivers and Harbors by R. L. Hoxie, being appendix J, of the Annual Report of 1906 of the Chief of Engineers, page 1077-1078 of the commercial statistics for calendar year ending December 31st, 1905, which shows that the total receipts and shipments on Susquehanna River to be 135,293 tons, valued at \$527,022.; that vessels sailing and trading on Susquehanna River, is as follows:

Class	Number	Aggregate Tonnage	Light Draft	Loaded Draft
Steamers	3	500	5	9
Sailing Vessels	27	5400	5	10
Barges	37	18500	4	10

I have been informed by the Purser of the Tolchester Steamboat Company that their Steamers carried, approximately, 30,000 persons on their line to and from Port Deposit, during the year 1906.

If there is any other information that I can give you, will be pleased to do so.

Yours very truly,

PRESIDENT AND COMMISSIONERS OF PORT
DEPOSIT,

By D. R. Armstrong, President.

(Copy)

July 16, 1907.

Hon. William H. Taft,
Secretary of War,
Washington, D. C.

My dear Sir:

I am in receipt of a copy of the report of Lieut. Col. R. L. Hoxie of Corps of Engineers, U. S. A., to Gen. A. Mackenzie under date of June 8th, and in regard to the proposed reconstruction of its bridge by the Baltimore and Ohio R. R. Company over the Susquehanna River above Havre de Grace, Md. In this report he recommends that no additional piers be introduced into the reconstructed bridge. Col. Hoxie being absent I was informed by the Engineer in charge that no additional piers would be introduced in the reconstructed bridge. I enclose a clipping from the Baltimore Sun of July 14th, which explains itself. I will thank you very much to inform me if this is a correct report and has your approval? Our citizens and property holders feel very much interested as the additional piers will not only be a menace to navigation, but will probably cause a disaster to our town, when the spring floods come. There are already three bridges with a mile and an island at this point, occupying at least half of this River. Our town is at the head of Tide-water navigation and the proposed slack-water navigation on the Susquehanna River with power dams above, means much to the commerce of this place.

I will thank you very much for a reply,

Yours very truly,

President and Commissioners of Port Deposit, Md.
D. R. Armstrong, President.

Attest,

J. F. Mohrlein, Clerk.

WAR DEPARTMENT.

WASHINGTON, D. C.

August 6th, 1907.

Mr. D. R. Armstrong,
President of Port Deposit,
Port Deposit, Md.

Sir:

Your communication of July 16, 1907, to the Secretary of War on behalf of yourself and the commissioners of Port Deposit, Md., has been referred to this Department for reply, and in reply, I have the honor to inform you that from an indorsement on your communication by Col. R. L. Hoxie, Corps of Engineers, the local engineer officer, it appears that the placing of additional piers under the bridge was undertaken by the Baltimore Ohio Rail road Company, under a misapprehension of the conditions of the approval by the Secretary of War of the plans for the reconstruction of the bridge which approval states in explicit terms that no additional piers shall be placed in the river. Colonel Hoxie states that he has advised the company

of their error, and informed them as to the conditions under which the approval for the reconstruction of the bridge was given.

Very respectfully,

A. Mackenzie,

Brig. Gen. Chief of Engineers,
U. S. Army.

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UNITED STATES ENGINEER OFFICE,

812 St. Paul St.,

Baltimore, Md., June 8, 1907.

Brig. Gen. A. Mackenzie,
Chief of Engineers, U. S. Army,
Washington, D. C.

General;

1. I have the honor to return herewith an application of the Baltimore Ohio Railroad Company to the Secretary of War for permission to reconstruct the railway bridge across the Susquehanna river above Havre de Grace, upon which I was authorized to hold a public hearing by Department indorsement dated May 25, 1907.

2. The hearing was held in Baltimore, on June 4 after due notice to all persons known to be interested in the matter. The plans of the Company for reconstructing this bridge were exhibited and explained, and those having objections to the bridge as proposed to be reconstructed were invited to state them. A discussion ensued from which it appeared that objection is made on the part of residents of Port Deposit and the vicinity to the introduction of any additional piers because of the apprehension that further obstruction of the waterway at the site of the existing bridge would increase the danger of ice gorges and the consequent flooding of lands in the vicinity of Port Deposit. On the part of single interest, The Eureka Fertilizer Company, objection was made to the reconstruction of this bridge without the introduction of a draw, because the height proposed would not permit the passage under the bridge of schooners without housing their topmast. As against these objections the railway company urged that the existing bridge piers were not the occasion of ice gorges and that additional piers would not be injurious in this respect, that the necessity for housing the topmasts of schooners desiring to pass under the bridge would not justify the additional expense of a draw span. It was found impracticable to reconcile these conflicting views and all parties interested were invited to submit a brief of the views entertained upon this subject, to be submitted with my report. Communications received are herewith as follows.

Letter from McClenahan Granite Co., dated May 4, 1907, from Rowland Manufacturing Company, dated May 10, 1907, from the Tolchester Company, dated May 13, 1907, from Millard F. McFonigall, dated May 16, 1907, from The Eureka Fertilizer Company dated May 24, 1907, from W. H. Surratt, dated May 31, 1907, from R. H. Snyder, undated; from Hon. Jos. I. France, dated June 5, 1907, from E. John Rinehart dated June 5, 1907, from Wm. H. Surratt dated June 5, 1907; from the Commissioners of Port Deposit, Md., dated June 6, 1907, from D. D. Carothers dated June 6, 1907, (inclosing blue print No. 4692), and letters from John W. Brown, John McIlhenry, R. K. Vanneman, J. Osmond, Jr., F. L. Hopper, Walter T. Jackson, McClenahan Granite Company, -W. Ancker, T. E. Thomas, Davis A. Fisher, Jos. Good, A. P. McCombs, Isaac Hecht, R. C. Hopkins, N. V. Williams, H. B. Vorhees, and John S. Barnes), from D. D. Carothers, dated June 6, 1907, from William Ainsworth Parkers, dated June 6, 1907 (inclosing outline of testimony in case of Rowland vs. The Baltimore and Ohio Railroad Company, and copy of Court Record in the case), from Williams Ainsworth Parker, dated June 6, 1907 (including statistics from the "American Fertilizer" magazine), from M. F. McGonigall, dated June 6, 1907, from Rowland Manufacturing Co., dated June 6, 1907, from J. M. Campbell & Co., dated June 6, 1907, from D. D. Carothers dated June 7, 1907 (inclosing letter and a typewritten copy, from J. S. Barnes), from the Jacob Tome Institute, dated June 7, 1907, from Williams Ainsworth Parker dated June 7, 1907, (inclosing letters from Jesse A. Price, Michael J. Dorsey, Frank T. Benson and V. J. Leutman).

3. The present B. & O. Bridge was constructed under authority of State laws and without Federal supervisions. I understand that a public hearing was held, the views of all parties in interest considered, and that the bridge as now constructed represents the compromise agreed upon at this time. It has two channel spans of 520 feet and 380 feet respectively, with a clearance of 90 feet above mean low water, and the piers of the bridge are nowhere spaced less than 480 feet apart. It is now proposed to reduce the clearance of the channel spans by about two feet, retaining the present width in each case, and to diminish the remaining spans of the bridge to 240 feet by the introduction of intermediate piers. On a sketch herewith, I have indicated the relative positions of this bridge and that of the Philadelphia, Baltimore and Washington, R. R., Bridge, a short distance below, and the types of construction. In place of the west channel span of the B. & O. bridge the P. B. & W. bridge has a draw span of 100 feet clear width on either side of the pivot pier. There is no draw across the east channel of the P. B. & W. bridge, and the clearance of only 25 feet. On this sketch the approximate location of the Eureka Fertilizer Works is marked in red. Vessels destined for the Fertilizer Works go up the western channel, around the head of Watsons Island and drop down through the east channel span of the B. & O. R. R. Bridge.

4. The existing project for the improvement of Susquehanna river provides a channel 15 feet deep and 200 feet wide up to Havre de Grace. This depth can then be carried as far as Port Deposit, but above that point the river becomes shallow and precipitous, and can only be improved by slack-water navigation. In the plans of the Susquehanna Power Company for a dam across the river above Port Deposit, recently approved by the Secretary of War, provision is made for locks having 12 feet over the miter sill.

5. Ice gorges in the Susquehanna River begin at different points above and below Havre de Grace, depending upon the stage of water in the river. The ice grounds upon the shoals sometimes at one point and sometimes at another, and accumulating, the gorge works its way up stream. It did not appear from the evidence at the hearing that the existing piers of the B. & O. Rail road bridge were in any instance responsible for the initiation of an ice gorge the ice grounding, when the gorge occurred above the bridge, on the shallow flat, above Watsons Island or in the curve of the left bank of the river. The watchman on this bridge who has been on duty for many years, stated that in no instance has ice first lodged against the piers. It did not appear at the hearing that any other interest than that of the Eureka Fertilizer Company desired the introduction of a draw in this bridge, neither was it clear that schooners adapted to the proposed depth of water in this river, would have frequent occasion for using the draw, nor very great inconvenience nor expense in housing their topmasts in passing the bridge. It was stated that the charge for doing this was from \$25.00 to \$50.00 and estimated on the time required varied. Should this river ever be improved by slack-watering, the through traffic of the river would not probably require a draw. The plans for the reconstructed bridge propose to reduce the clear height above low water from 90 feet to 88.47 feet. It was stated at the hearing that this small diminution of clearance would not be objectionable.

6. Admitting that the existing piers of the B. & O. bridge have not initiated an ice gorge in the river above them, it is probably true that in the breaking up of these gorges the great width of span required in the original construction has facilitated the moving off of the gorged ice, and I think that the conditions in this respect should not be less favorable in the reconstructed bridge. Once in motion the broken up ice will pass the P. B. & W. bridge below with less difficulty, and the narrower spans of this bridge will not be as objectionable as they would be at the site of the B. & O. bridge. The small diminution of clearance proposed is not, it seems to me, objectionable, and is urged by the rail road company upon the ground of necessity for stronger trusses to carry the double track in place of the single track road, and the great difficulty which would be experienced in raising the grade of the track while maintaining travel over the bridge. Under the circumstances, this diminution of clearance should be permitted. As to the draw desired by certain interests, since the through navigation of the river will hardly require it, and it seems to be desirable only for the accommodation of a limited interest, and not indispensable to that, while it would increase the cost to the railroad company and greatly obstruct the present wide channel, I think the draw would better be omitted and

the present wide span and a satisfactory clearance retained.

7. It is recommended therefore that the plans of the company be approved subject to the following conditions. That no additional piers be introduced into the reconstructed bridge, that if at any time in the future it shall be made to appear to the Secretary of War that the proposed bridge is an unreasonable obstruction to the free navigation of the Susquehanna river, said licensee will be required, upon due notice from the Secretary of War to remove or alter the same, so as to render navigation through said waters reasonably free, easy, and unobstructed, and that the Engineer officer of the United States Army, in charge of the district within which the bridge is to be rebuilt, may supervise its reconstruction, in order that said plans shall be complied with.

Very respectfully, your obedient servant,
R. L. Hoxie,
Lieut. Col. Corps of Engineers,
U. S. A.

He and Senator France both claimed that these documents show conclusively that the War Department opposes the project of the B. & O. R. R., while Mr. Bond claimed that a re-consideration of the proposed plans by the War Department convinced Gen. McKenzie that they are in the public interest, and ought to be approved. He stated that he could file documents to substantiate his assertion if necessary.

After a long discussion, in which many matters in connection with the subject were exhaustively gone into, the Board decided that in order to do equal and exact justice to both the Railroad Co. and to the interests of the people, living along the shores of the Susquehanna River, as well as the general public, they would defer action until a later time, and suggested that in the mean time the B. & O. R. R. officials secure the approval of the War Department to their plans as submitted to the Board, after which the Board would be in a better position to act thereupon.

On motion of the Governor, seconded by the Comptroller, the following bills were ordered paid, for repairs to State Tobacco Warehouses:

White & Middleton Gas Engine Co.	74.72
Otis Elevator Co.	319.58

On motion, the Board at 12.30 p. m., adjourned.

Robert S. Hart, Acting Secretary.

Orlando Fitzmaurice Secretary.